



Job Aid: State of TN CPO Supplier's Certificate of Insurance Job Aid

Proof of Insurance

Purpose

The purpose of this job aid is to provide information about the State of Tennessee's standard requirements of Insurance Coverage and how the Certificate of Insurance (COI) document should be completed.

Contents

1. **Submission Information** (pg. 1)
2. **Certificate of Liability Insurance Form Requirements** – Instructions for insurance carriers as to how the Proof of Insurance must be completed to be considered compliant with State Policy (pg. 2)
3. **Insurance Requirements** (pg. 5)
 - a. Contract Language – a selection of the standard contract language pertaining to insurance requirements
 - b. Standard Requirements Listed – a breakdown of the pertinent requirements, item by item.
4. **Glossary of Acronyms** (pg. 8)

Submission Information

The standard ACORD Certificate of Liability Insurance form (Acord #25) (see sample below) is the State's preferred documentation of proof of insurance. Suppliers can find more information regarding the ACORD Certificate of Liability Insurance form at www.acord.org or from the Supplier's insurance provider.

Certificates of Insurance may be submitted via email, fax or mail.

1. Email: Vendor.Insurance@tn.gov (preferred)
2. Fax: (615) 741-0684
3. Mail: State of Tennessee – CPO Risk Manager, 312 Rosa L Parks Ave, 3rd floor Central Procurement Office, Nashville, TN 37243

Certificate of Liability Insurance Form Requirements

Example COI:

ACORD®		CERTIFICATE OF LIABILITY INSURANCE				DATE (MM/DD/YYYY) 5/9/2023																																																									
<p>THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.</p> <p>IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).</p>																																																															
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© 1988-2014 ACORD CORPORATION. All rights reserved. ACORD 25 (2014/01) The ACORD name and logo are registered marks of ACORD INS025 (2014/01)																																																															

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1. Certificate Date – Must be within 90 days of the date Certificate was received by the Central Procurement Office.
2. Producer – Insurance provider
3. Contact Information – Insurance provider contact information
4. Insured – Supplier’s name and/or DBA as it appears in State’s ERP system, with valid street address or PO Box.
5. Insurer(s) – Insurance Company or companies that hold the policy. Must include NAIC number for any Carriers indicated as providing coverage.

COI Coverage Section:

Mandatory coverage types and limits – these limits must equal or exceed those listed here. Some contracts may require higher limits and additional coverage types.

COVERAGES		CERTIFICATE NUMBER: CL123456789				REVISION NUMBER:	
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D	Professional Liability		PSL2023 10	5/1/2023	5/1/2024	Limit of Professional Liability \$1,000,000	

6. General Liability

- i. Policy Number
- ii. Policy EFF (Effective Date)
- iii. Policy EXP (Expiration Date)
- iv. General Liability Limits
- v. General Liability – Additional Insured

- a. The Additional Insured (ADDL INSR) column for Commercial General Liability needs to be marked with an "X" or "Y", or
- b. On the form under the label: *Description of Operations/Location*, it must read: **The State of Tennessee is Additional Insured with respect to General Liability per contract.**

7. Automobile Liability

- i. Policy Number
- ii. Policy EFF (Effective Date)
- iii. Policy EXP (Expiration Date)
- iv. Auto Liability Limits

8. Worker's Compensation

- i. Policy Number
- ii. Policy EFF (Effective Date)
- iii. Policy EXP (Expiration Date)
- iv. Worker's Comp Limits

9. Umbrella Liability

10. Other Insurance Types as required by contract may be listed, including Crime Liability, Cyber Liability, Pollution Liability and Professional Liability

COI Footer Information:

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)	
11	
CERTIFICATE HOLDER	CANCELLATION
12 State of Tennessee CPO Risk Manager 312 Rosa L. Parks, 3rd Floor Central Procurement Office Nashville, TN 37243	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE  13

11. Description of Operations – Additional information regarding the policy/policies.
12. Certificate Holder – The CPO must be shown as the Certificate Holder as previously noted.
13. Authorized Representative – The COI should be physically or electronically signed by an Authorized Representative of the Producer. The insertion of the name of the Producer would probably be legal to bind the coverage but not best business practices.

Insurance Requirements

Standard Requirements Listed:

1. The COI must be on a form approved by the TDCI (*standard ACORD #25 form preferred*).
2. COI must list each insurer's National Association of Insurance Commissioners (NAIC) number and be signed by an authorized representative of the insurer.
3. The COI must list as Certificate Holder:
 - State of Tennessee – CPO Risk Manager
 - 312 Rosa L Parks Ave
 - 3rd floor Central Procurement Office
 - Nashville, TN 37243
4. Minimum General Liability coverage of one million dollars (\$1,000,000) per occurrence, and two million dollars (\$2,000,000) in the aggregate.
5. Minimum Workers' Compensation coverage of one million dollars (\$1,000,000) per employee for bodily injury by accident, one million dollars (\$1,000,000) by disease, and one million dollars (\$1,000,000) for bodily injury by disease.
6. Minimum Automobile Liability coverage of one million dollars (\$1,000,000) per incident.
7. State is to be named Additional Insured regarding General Liability.
8. Subrogation is to be Waived in favor of the State for *all listed policies*.

9. Workers' Compensation coverage must indicate (yes or no) if any employees are excluded from Workers' Compensation coverage. If "yes," an explanation of to whom the exclusion applies must be included on the Certificate.
- Failure to meet one or more of the above requirements will result in the Certificate being returned to the Supplier for correction to be completed by the representative Insurance Provider.

Contract Language

- All insurance companies providing coverage must be: (a) acceptable to the State; (b) authorized by the Tennessee Department of Commerce and Insurance ("TDCI"); and (c) rated A- / VII or better by A.M. Best. All coverage must be on a primary basis and noncontributory with any other insurance or self-insurance carried by the State. Contractor agrees to name the State as an additional insured on any insurance policy with the exception of workers' compensation (employer liability) and professional liability (errors and omissions) insurance. All policies must contain an endorsement for a waiver of subrogation in favor of the State. Any deductible or self-insured retention ("SIR") over fifty thousand dollars (\$50,000) must be approved by the State. The deductible or SIR and any premiums are the Contractor's sole responsibility. The Contractor agrees that the insurance requirements specified in this Section do not reduce any liability the Contractor has assumed under this Contract including any indemnification or hold harmless requirements.
- To achieve the required coverage amounts, a combination of an otherwise deficient specific policy and an umbrella policy with an aggregate meeting or exceeding the required coverage amounts is acceptable. For example: If the required policy limit under this Contract is for two million dollars (\$2,000,000) in coverage, acceptable coverage would include a specific policy covering one million dollars (\$1,000,000) combined with an umbrella policy for an additional one million dollars (\$1,000,000). If the deficient underlying policy is for a coverage area without aggregate limits (generally Automobile Liability and Employers' Liability Accident), Contractor shall provide a copy of the umbrella insurance policy documents to ensure that no aggregate limit applies to the umbrella policy for that coverage area. In the event that an umbrella policy is being provided to achieve any required coverage amounts, the umbrella policy shall be accompanied by an endorsement at least as broad as the Insurance Services Office, Inc. (also known as "ISO") "Noncontributory—Other Insurance Condition" endorsement or shall be written on a policy form that addresses both the primary and noncontributory basis of the umbrella policy if the State is otherwise named as an additional insured.
- Contractor shall provide the State a certificate of insurance ("COI") evidencing the coverages and amounts specified in this Section. The COI must be on a form approved by the TDCI (standard ACORD form preferred). The COI must list each insurer's National Association of Insurance Commissioners (NAIC) number and be signed by an authorized representative of the insurer. The COI must list the State of Tennessee – CPO Risk

Manager, 312 Rosa L. Parks Ave., 3rd floor Central Procurement Office, Nashville, TN 37243 as the certificate holder. Contractor shall provide the COI ten (10) business days prior to the Effective Date and again thirty (30) calendar days before renewal or replacement of coverage. Contractor shall provide the State evidence that all subcontractors maintain the required insurance or that subcontractors are included under the Contractor's policy. At any time, the State may require Contractor to provide a valid COI. The Parties agree that failure to provide evidence of insurance coverage as required is a material breach of this Contract. If Contractor self-insures, then a COI will not be required to prove coverage. Instead, Contractor shall provide a certificate of self-insurance or a letter, on Contractor's letterhead, detailing its coverage, policy amounts, and proof of funds to reasonably cover such expenses. The State reserves the right to require complete copies of all required insurance policies, including endorsements required by these specifications, at any time.

- Suppliers shall obtain and maintain, at a minimum, the following insurance coverages and policy limits.
 1. Commercial General Liability ("CGL") Insurance
 - a. The Contractor shall maintain CGL, which shall be written on an ISO Form CG 00 01 occurrence form (or a substitute form providing equivalent coverage) and shall cover liability arising from property damage, premises and operations products and completed operations, bodily injury, personal and advertising injury, and liability assumed under an insured contract (including the tort liability of another assumed in a business contract).

The Contractor shall maintain single limits not less than one million dollars (\$1,000,000) per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this policy or location of occurrence or the general aggregate limit shall be twice the required occurrence limit.

2. Workers' Compensation and Employer Liability Insurance
 - a. For Contractors statutorily required to carry workers' compensation and employer liability insurance, the Contractor shall maintain:
 - i. Workers' compensation in an amount not less than one million dollars (\$1,000,000) including employer liability of one million dollars (\$1,000,000) per accident for bodily injury by accident, one million dollars (\$1,000,000) policy limit by disease, and one million dollars (\$1,000,000) per employee for bodily injury by disease.
 - ii. If the Contractor certifies that it is exempt from the requirements of Tenn. Code Ann. §§ 50-6-101 – 103, then the Contractor shall furnish written proof of such exemption for one or more of the following reasons:
 1. The Contractor employs fewer than five (5) employees;
 2. The Contractor is a sole proprietor;

3. The Contractor is in the construction business or trades with no employees;
 4. The Contractor is in the coal mining industry with no employees;
 5. The Contractor is a state or local government; or
 6. The Contractor self-insures its workers' compensation and is in compliance with the TDCI rules and Tenn. Code Ann. § 50-6-405.
3. Automobile Liability Insurance
- a. The Contractor shall maintain automobile liability insurance which shall cover liability arising out of any automobile (including owned, leased, hired, and non-owned automobiles).
 - b. The Contractor shall maintain bodily injury/property damage with a limit not less than one million dollars (\$1,000,000) per occurrence or combined single limit.

Glossary of Acronyms

AL – Automobile Liability

CGL – Commercial General Liability

COI – Certificate of Insurance

CPO – Central Procurement Office

DBA – “Doing Business As”

ERP System – Enterprise Resource Planning System. An ERP System is an integrated platform used to manage all aspects of a business operation, from supply chain, financial management and human resources.

ISO – Insurance Services Office

NAIC – National Association of Insurance Commissioners

SIR – Self-insured retention

TDCI – Tennessee Department of Commerce and Insurance

WC – Workers’ Compensation Insurance



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